

REMARKS

Claims 1-10 remain pending in this application for which applicant seeks reconsideration.

Amendment

Claims 1-10 have been amended to improve their clarity and form, as well as to more clearly set forth the present invention. In this respect, the preamble of claim 9 has been revised to better conform to U.S. practice, namely embodying a computer program in a computer-readable medium. In independent claims 1 and 8-10, the determination device/step/module has been defined as a setting unit/step/instruction/module and a comparison unit/step/instruction/module for added clarity. No new matter has been introduced.

Art Rejection

Claims 1-6 and 8-10 were rejected under 35 U.S.C. § 102(b) as anticipated by Nakamura (USPGP 2002/0143568). Claim 7 was rejected under 35 U.S.C. § 103(a) as unpatentable over Nakamura in view of Quistgaard (USPGP 2003/0009102). Applicant traverses these rejections because neither of the applied references would have disclosed or taught at least acquiring license information as set forth in independent claims 1 and 8-10.

The examiner asserts that Nakamura discloses all the claimed features of original independent claims 1 and 8-10. Applicant disagrees. Referring to Fig. 1, Nakamura discloses a trial management system for a copier, which has a storage section 25 that holds the management program B2, and copier functional subprograms A1-AN, which include trial programs that can be activated by manually initiating the trial functions. In this respect, Nakamura at best discloses an image forming apparatus having a storage device 25, a program/license management device B2 that grants access to certain designated programs.

Independent claims 1 and 8-10, however, call for acquiring license information including apparatus specifying information and program specifying information for specifying a program designated from an external device to be executed at the start of the image forming apparatus. Applicant submits that Nakamura does not disclose at least acquiring license information from an external device, let alone setting a start program based on the apparatus specifying information included in the acquired license information and the apparatus identification information stored in a storage unit matching, and the program specified by the program specifying information included in the license information being identical to any of the plurality of programs, as set forth in claims 1 and 8-10.

Applicant submits that Quistgaard, which was merely relied upon for the encrypting aspect, would not have alleviated Nakamura's shortcomings even if the combination were deemed proper for argument's sake.

Conclusion

Applicant submits that claims 1-10 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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DATE

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REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

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